

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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D & K (ASIA) LIMITED,

Plaintiff,

-against-

INNOVATION BARGAINS, LLC,

Defendant.
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ORDER

CV 10-1107 (LDW)(ARL)

LINDSAY, Magistrate Judge:

Before the court is the motion of the law firm of Goodman & Leopold, L.L.P. (the “Firm”), counsel for the defendant Innovation Bargains, LLC, d/b/a Ipack Solution (“defendant”), for leave to withdraw as attorney of record for defendant in this matter pursuant to Local Civil Rule 1.4 of the Local Civil Rules of the United States District Courts for the Southern and Eastern Districts of New York. Plaintiff and defendant have not made a response in opposition to this motion.

The procedural posture of the case indicates that discovery is complete. Pursuant to the briefing schedule agreed upon by counsel for the parties, the parties are to electronically file a joint proposed pretrial order in compliance with the district judge’s individual rules, signed by counsel for each party, prior to the final conference which is scheduled for August 18, 2011 at 11:00 a.m. Given that (i) Mr. Leopold of the Firm has conducted the discovery and depositions in this case and is the person most familiar with the underlying facts of the case and is therefore in the best position to prepare the defendant’s portion of the proposed pretrial order; and (ii) any communication with his client would be of limited value in preparing the pretrial order, the court denies the within application to withdraw as counsel at this time without prejudice to a renewal thereof upon the filing of the proposed pretrial order.

Dated: Central Islip, New York
July 26, 2011

SO ORDERED:

_____/s/
ARLENE ROSARIO LINDSAY
United States Magistrate Judge